

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

ROW VAUGHN WELLS, INDIVIDUALLY AND AS  
ADMINISTRATRIX OF THE ESTATE OF TYRE  
DEANDRE NICHOLS, DECEASED

Plaintiff

VS.

CAUSE NO.: 2:23-CV-02224-MSN-atc

THE CITY OF MEMPHIS, a Municipality;  
CHIEF CERELYN DAVIS, in her official capacity;  
EMMITT MARTIN, III, in his individual capacity;  
DEMETRIUS HALEY, in his individual capacity;  
JUSTIN SMITH, in his individual capacity;  
DESMOND MILLS, JR., in his individual capacity;  
TADARRIUS BEAN, in his individual capacity;  
PRESTON HEMPHILL, in his individual capacity;  
ROBERT LONG, in his individual capacity;  
JAMICHAEL SANDRIDGE, in his individual capacity;  
MICHELLE WHITAKER, in her individual capacity;  
DEWAYNE SMITH, in his individual capacity and as an  
agent of the City of Memphis

Defendants

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DEFENDANT, JUSTIN SMITH'S, JOINDER TO DEFENDANTS, PRESTON HEMPHILL  
AND DEWAYNE SMITH'S, REPLY MEMORANDUM IN SUPPORT OF DEFENDANTS,  
PRESTON HEMPHILL AND DEWAYNE SMITH'S, INDIVIDUALLY TO STAY CIVIL  
CASE PENDING RESOLUTION OF CRIMINAL PROCEEDINGS

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COMES NOW the Defendant, Justin Smith (hereinafter "Smith") by and through his  
counsel of record, Martin Zummach, and files this his Notice of Joinder and would state as  
follows:

1. As far as the arguments made in Defendants, Preston Hemphill and DeWayne  
Smith's, Reply Memorandum in Support of Defendants, Preston Hemphill and DeWayne

Smith's, Individually, to Stay Civil Case Pending Resolution of Criminal Proceedings filed on July 17, 2023 [Doc. No.: 85], Smith files his Notice to join in same and adopts same as if copied verbatim herein.

2. Counsel for Smith reserves the right to provide oral argument or respond to the Court's questions on such day as this matter is called on for hearing.

Respectfully Submitted,

SPARKMAN-ZUMMACH, P.C.

*S/Martin Zummach*

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Certificate of Service

The undersigned certifies that on the 18<sup>th</sup> day of July, 2023, a copy of the foregoing document was electronically filed with court clerk using the ECF System, and that upon filing, a copy will be sent via the Court's ECF System to all registered parties in this case.

*S/Martin Zummach*